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October 12, 2023

**VIA ECF**

Honorable Barbara Moses  
United States District Court  
Southern District of New York  
New York, New York 10007

**Re: *Morgan Art Foundation Ltd. v. McKenzie*, 18-cv-04438 (JLR-BCM)**

Dear Judge Moses:

On behalf of Defendant and Cross Claimant Michael McKenzie (“McKenzie”), in response to the Letter of Nathaniel S. Putnam, Personal Representative of the Estate of Robert Indiana (the “Estate”) (at Dkt. No. 529), we have not opposed the artwork pickup dates which are at the end of this month in any event. What we did was to point out, first verbally about one week ago, to Estate counsel that he needs to get a corrected order allowing storage outside of Rockland County. We then followed up with an email, a copy of which was attached to our opposition yesterday. Only then did the Estate apply for that order allowing storage outside of Rockland County. We have always been willing to surrender the artwork for the purposes stated in the order confirming the arbitration award.

Respectfully submitted,

*/s/ John J.E. Markham, II*

John J.E. Markham, II

cc: Counsel of Record via ECF